

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of: **Yasuomi URANO et al.**

Group Art Unit: **1614**

Application Number: **10/584,415**

Examiner: **Carlic K. Huynh**

Filed: **June 26, 2006**

Confirmation Number: **9423**

For: **INHIBITOR FOR THE FORMATION OF  $\gamma$ -SECRETASE COMPLEX**

Attorney Docket Number: **062522**  
Customer Number: **38834**

**RESPONSE TO RESTRICTION/ELECTION REQUIREMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

July 7, 2008

Sir:

This paper is submitted in response to the Official Action dated June 4, 2008.

1. Restriction Requirement

In the Office Action, Applicants are required to elect one of the following groups of claims for prosecution in this application:

- I. Claim(s) 1-4 (the Office Action states “1-4 and 10-14” but this is understood as a typographical error since claims 10-14 are included in Groups III and IV), drawn to an inhibitor for the formation of a  $\gamma$ -secretase complex comprising a cholesterol synthesis inhibitor or a protein geranylgeranylation regulator.
- II. Claim(s) 5-9, drawn to a method of inhibiting the formation of an active complex of  $\gamma$ -secretase using a cholesterol synthesis inhibitor or a protein geranylgeranylation regulator.

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- III. Claim(s) 10-14, drawn to a method for producing an inhibitor for the formation of a  $\gamma$ -secretase complex using a cholesterol synthesis inhibitor or a protein geranylgeranylation regulator.
- IV. Claim(s) 10-14, drawn to a method for forming a  $\gamma$ -secretase complex using a cholesterol synthesis inhibitor or a protein geranylgeranylation regulator.
- V. Claim(s), 15-18, drawn to a method of screening a substance having an effect of inhibiting the formation of an active complex of  $\gamma$ -secretase comprising assaying an activity of inhibiting cholesterol synthesis.
- VI. Group VI, claim(s) 19-21, drawn to a method of screening a cholesterol synthesis inhibitor, a protein geranylgeranylation regulator or an HMG-CoA reductase inhibitor, comprising screening an effect of inhibiting the formation of an active complex of  $\gamma$ -secretase.
- VII. Group VII, claim(s) 22-23, drawn to a method of screening an effect of a test substance on  $\gamma$ -secretase comprising measuring the distribution of constituents required by  $\gamma$ -secretase in the cell for the formation of an active complex thereof by adding the test substance to cultured cells.

Applicants hereby elect the subject matter of **Group II, Claims 5-9** for prosecution in this application. This election is made **without traverse**, and it is understood that Applicants' rights to the filing of a divisional application directed to the non-elected subject matter under 35 U.S.C. §120 and 35 U.S.C. §121 are retained.

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2. Election of Species Requirement

Since Applicants elect one of Groups I, II, III, IV or VI in response to the restriction requirement, in the Office Action, Applicants are also required to make the following election of species disclosed on page 4, lines 11-22:

- a. HMG-CoA synthetase inhibitor
- b. HMG-CoA reductase inhibitor
- c. squalene synthetase inhibitor
- d. squalene epoxidase inhibitor
- e. lanosterol synthetase inhibitor
- f. AMPK activator
- g. farnesyl pyrophosphate synthetase inhibitor
- h. geranylgeranyl transferase inhibitor

In addition, if Applicants elect Species b (HMG-CoA reductase inhibitor), Applicants are further required to elect one of the following Sub-species:

- 1. lovastatin
- 2. pravastatin
- 3. simvastatin
- 4. fluvastatin
- 5. cerivastatin
- 6. atorvastatin
- 7. pitavastatin

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8. rosuvastatin

Applicants hereby elect the subject matter of **Species b (HMG-CoA reductase inhibitor) and Sub-species 7 (pitavastatin)** in this application. This election is made **without traverse**, and it is understood that Applicants' rights to the filing of a divisional application directed to the non-elected subject matter under 35 U.S.C. §120 and 35 U.S.C. §121 are retained.

If this paper is not timely filed, Applicant(s) respectfully petition(s) for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**

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